



State of Vermont  
Agency of Human Services  
280 State Drive  
Waterbury, VT 05671-1000

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# Global Commitment Register

April 4, 2016

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GCR 16-011  
PROPOSED

## **Health Benefits Eligibility and Enrollment Rule Update**

### **Policy Summary:**

The Agency of Human Services (AHS) has filed a proposed rulemaking with the Office of the Secretary of State (SOS) to amend the Health Benefits Eligibility and Enrollment Rule (HBEE) which sets forth eligibility criteria for Vermont's health benefit programs. The proposed rule is not in effect, but if it is adopted following the full rulemaking process it will supersede HBEE as was amended by emergency rulemaking effective January 11, 2016. Prior to that emergency rule becoming effective, HBEE was last adopted, following the full rulemaking process, on July 15, 2015.

HBEE, including changes proposed in this proposed rulemaking, implements health care reform reflected in federal and state law including the Patient Protection and Affordable Care Act. Specifically, this proposed rule is needed in order to align HBEE with federal and state law, align with federal guidance, provide clarification, correct information, improve clarity, make technical corrections, and to incorporate revisions effected on January 11, 2016 in emergency rulemaking.

The Secretary of State proposed rulemaking website and other additional information can be found below.

### **Effective Date:**

Proposed rulemaking was posted on the Secretary of State website on March 30, 2016.

### **Authority/Legal Basis:**

Medicaid: C.F.R., Title 42, Chapter IV, Subchapter C, Part 435

Health Benefits Exchange: C.F.R., Title 45, Subtitle A, Subchapter B, Part 155

Adopting and rulemaking: 3 V.S.A. §§ 801(b) (11), 838, 3052, 3053; 33 V.S.A. §§ 105, 1901

### **Population Affected:**

Medicaid and Qualified Health Plan (with and without financial assistance) applicants and enrollees.

### **Fiscal Impact:**

No fiscal impact.

**Public Comment Period:**

Present until May 6, 2016

Send comments to: [Robin.Chapman@vermont.gov](mailto:Robin.Chapman@vermont.gov)

**Additional information:**

The SOS references this proposed rulemaking on its website as Rule 16P009. The posting can be viewed electronically at: <https://secure.vermont.gov/SOS/rules/>.

DCF/ESD Bulletin No. 16-02P, which describes this proposed rulemaking, and the annotated and non-annotated proposed rule can be seen electronically at: <http://dcf.vermont.gov/esd/laws-rules/proposed-adopted>.

HBEE that is currently in effect can be viewed electronically at:

<http://humanservices.vermont.gov/on-line-rules/esd/health-benefits-eligibility-and-enrollment-hbee/view>.

To get more information about the rulemaking process, see the website of the Office of the Secretary of State at <https://www.sec.state.vt.us/administrative-rules.aspx>.